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AZ CORP COMMISSION
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August 6, 2009

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VIA OVERNIGHT DELIVERY

Arizona Corporation Commission
Utilities Division
1200 West Washington
Phoenix, AZ 85007-2996

T-20664A-09-0148

Re: Petition of TracFone Wireless Inc. for Designation as an Eligible
Telecommunications Carrier

Dear Madam/Sir:

Enclosed please find an original and 13 copies of TracFone Wireless, Inc.'s Revised First Amendment to Petition for Designation as an Eligible Telecommunications Carrier. An additional copy is included to be date-stamped and returned in the enclosed envelope. Please contact me if you have any questions about this submission.

Sincerely,

Debra McGuire Mercer

Counsel for TracFone Wireless, Inc.

Arizona Corporation Commission
DOCKETED

AUG - 5 2009



**Before the
ARIZONA CORPORATION COMMISSION**

In the Matter of

Petition of TracFone Wireless, Inc.
for Designation as an Eligible Telecommunications
Carrier in the State of Arizona for the Limited
Purpose of Offering Lifeline Service to Qualified
Households

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) Docket No. T-20664A-09-0148
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**TRACFONE WIRELESS, INC.'S REVISED FIRST AMENDMENT TO PETITION
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

TracFone Wireless, Inc. ("TracFone"), by its undersigned counsel, amends its Petition for Designation as an Eligible Telecommunications Carrier ("ETC"), filed March 29, 2009. In TracFone's ETC Petition, it requested designation as an ETC throughout the State of Arizona for the purpose of offering Lifeline and Link Up service. By this filing, TracFone clarifies the extent of its Lifeline service area and withdraws its request to be designated as an ETC for purposes of providing Link Up services.¹

In its ETC Petition TracFone requested ETC status throughout the entire State of Arizona. Upon further review of an applicable Federal Communications Commission ("FCC") order, TracFone amends its request for ETC status to exclude tribal lands. When TracFone filed with the FCC petitions for designation as an ETC in various states, TracFone did not request designation as an ETC for tribal lands. See In the Matter of Federal-State Joint Board on Universal Service, et al, 23 FCC Rcd 6206, ¶ 17 & n.49 (2008). The FCC's order designating TracFone as an ETC stated that TracFone's designated service areas do not encompass federally-

¹ This Revised First Amendment supersedes the First Amendment filed July 24, 2009.

recognized tribally-owned lands. Id., ¶ 17. Similarly, TracFone does not request ETC designation for tribal lands in Arizona. As such, TracFone's designated service area would exclude tribal lands.


As explained in TracFone's ETC Petition, on September 8, 2005, the FCC exercised its forbearance authority under 47 U.S.C. § 160 with respect to the facilities-based service requirement for ETCs set forth in 47 U.S.C. § 214(1)(A) and 47 C.F.R. § 54.201(i).² However, the scope of the FCC's order is limited to TracFone's provision of Lifeline services only.³ Therefore, unless and until the FCC were to expand the scope of its grant of forbearance to include Link Up, TracFone may not seek ETC designation to provide Link Up benefits or seek Link Up support from the federal universal service fund.

The benefits provided to TracFone's Lifeline customers in Arizona, including those customers residing on tribal lands, as described in its ETC Petition will not change. All qualified Lifeline customers in Arizona will receive 68 minutes of use each month at no charge. Unused minutes will roll over from month-to-month so long as the customer remains enrolled in the Lifeline program. TracFone will also provide handsets to all Lifeline customers at no charge.

² Petition of TracFone Wireless, Inc. for Forbearance from 47 USC § 214(e)(1)(A) and 47 CFR § 54.201(i), 20 FCC Rcd 15095 (2005) ("TracFone Forbearance Order"). A copy of the TracFone Forbearance Order is attached hereto as Exhibit 2.

³ See id., ¶¶ 1-2, 17.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Brecher', is written over a horizontal line.

Mitchell F. Brecher
Debra McGuire Mercer

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August 6, 2009